IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

-

WRIT PETITION NO : 21887 of 2004

Between:

P. Vishun Vardhan Reddy, S/o Bucha Reddy,Driver, Staff No.

E.280177, Working in APSRTC Bus Depot, Hayatnagar Depot, Ranga Reddy District.

.... PETITIONER

AND

1 The Regional Manager, APSRTC, Hyderabad City

Region, Jubilee Bus Station, Picket, Secunderabad.

2 The Depot Manager, APSRTC, Hayatnagar Bus Depot,
Hayatnagar, Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not giving the Special Grade of respective posts to the petitioner w.e.f. his completion of 12 years of his service in APSRTC by adding stagnation increment is bad, arbitrary, illegal unjust and contrary to the Circular of APSRTC and consequently direct the respondents to award Special grade to the petitioner w.e.f. his completion of 12 years of service by counting his respective category service in the previous and present regions of the APSRTC.

Counsel for the Petitioner: MR.G.NARASIMHA

Counsel for the Respondents: MR.V.T.M.PRASAD,SC for APSRTC

The Court at the admission stage, made the following:

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ORDER: -

The petitioner was appointed as a Driver in the A.P.S.R.T.C., on regular basis, with effect from 01.01.1992. He has been posted at various places ever since then. His grievance is that he has not been extended the benefit of Special Grade by sanctioning stagnation increment, on his completion of 12 years of service. He seeks appropriate directions in this regard.

2. Heard learned counsel for the petitioner and the learned Standing Counsel for the A.P.S.R.T.C.

3. It is a matter of record that the petitioner was appointed as Driver on regular basis, with effect from, 01.01.1992. The Corporation has framed schemes, providing for grant of certain increments to such of the employees, who have continued in the same category of post, for a period of 12 years or more. Certain dispute existed as to whether the period of 12 years needs to be counted with reference to the working of the employee in the same division, or his service in various divisions put together. The matter is no longer *res integra*, and a Division Bench of this Court took the view that irrespective of the divisions, in which an employee has worked, on completion of 12 years of service in the same category, he is eligible to be extended the benefit.

4. Hence the writ petition is allowed directing the respondents to grant stagnation increment to the petitioner, from the date on which he completes 12 years of service, in the post of driver. This exercise shall be completed within six weeks from the date of receipt of this order. There shall be no order as to costs.

Sd/-

ASSISTANT REGISTRAR

Dated: 30th November, 2004

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To

1 The Regional Manager, APSRTC, Hyderabad City

Region, Jubilee Bus Station, Picket, Secunderabad.

2 The Depot Manager, APSRTC, Hayatnagar Bus Depot,
Hayatnagar, Ranga Reddy District.

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